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Local Counsel for Bay North Capital, LLC

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:

EASY STREET HOLDING, LLC, *et al.*,

Debtors.

Address: 201 Heber Avenue
Park City, UT 84060

Tax ID Numbers:
35-2183713 (Easy Street Holding, LLC),
20-4502979 (Easy Street Partners, LLC), and
84-1685764 (Easy Street Mezzanine, LLC)

Bankruptcy Case No. 09-29905
Jointly Administered with
Cases 09-29907 and 09-29908

Chapter 11

Honorable R. Kimball Mosier

[FILED ELECTRONICALLY]

**EX PARTE MOTION FOR COUNSEL TO APPEAR
TELEPHONICALLY AT HEARING ON SEPTEMBER 16, 2009**

Bay North Capital, LLC (“Bay North”) moves (the “Motion”) the Court *ex parte* for an order authorizing Brian W. Harvey of Goodwin Procter LLP, counsel for Bay North, to appear telephonically at the hearing set for September 16, 2009 at 11:30 a.m. Mountain Time in the

Easy Street Holding, LLC jointly-administered chapter 11 case. In support of this Motion, Bay North respectfully states as follows:

1. On September 14, 2009, Easy Street Holding, LLC; Easy Street Partners, LLC; and Easy Street Mezzanine, LLC (collectively, the “Debtors”) filed voluntary chapter 11 petitions in this Court. Bay North received notice yesterday of a hearing set for today at 11:30 a.m. MT on the Debtors’ request to use cash collateral and related first-day relief motions.

2. Mr. Harvey serves as lead counsel for Bay North. Mr. Harvey’s appearance at the hearing is necessary as his firm is national counsel for Bay North, and he is familiar with the facts and circumstances of this matter and the relationship between Bay North and the Debtors. Given the expedited scheduling of the hearing and the accompanying short notice provided to parties in interest, Mr. Harvey’s travel to Utah and in-person attendance at the hearing was not feasible. As required by applicable local rule, local counsel intends to be present at the hearing.

3. Mr. Harvey is resident in Goodwin Procter LLP’s New York office. The direct telephonic contact information for Mr. Harvey is as follows.

Brian W. Harvey
Goodwin Procter LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018-1405
Telephone: (212) 813-8829
Facsimile: (212) 355-3333
bharvey@goodwinprocter.com

4. A proposed form of Order authorizing the telephonic appearance of Mr. Harvey is submitted contemporaneously herewith.

WHEREFORE, Bay North respectfully requests entry of an Order granting the relief requested herein, mainly that Mr. Harvey be permitted to appear telephonically at the hearing on September 16, 2009 at 11:30 a.m. MT, and granting such other and further relief as the Court deems just and proper.

DATED this 16th day of September 2009.

CHAPMAN AND CUTLER LLP

By: _____/s/ Adelaide Maudsley_____
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Local Counsel for Bay North Capital

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **EX PARTE MOTION FOR COUNSEL TO APPEAR TELEPHONICALLY AT HEARING ON SEPTEMBER 16, 2009** was served on this 16th day of May, 2009 in the manner indicated below on each of the following:

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____/s/ Adelaide Maudsley_____